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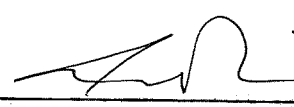
July 2, 2014

*A conference is scheduled
for July 16, 2014 at 11:45AM*

By Facsimile

Hon. Edgardo Ramos, U.S.D.J.
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007
Fax: (212) 805-7943

The application is ☒ granted.
— denied.


Edgardo Ramos, U.S.D.J.
Dated: 7/2/14
New York, New York 10007

Re: Accantia Group Holdings, et al. v. Food Market Merchandising, Inc.,
Index No. 12-cv-5042 (ER) (MHD) (S.D.N.Y.)

Dear Judge Ramos:

We represent defendant Food Market Merchandising, Inc., in the above-referenced litigation, discontinued by this Court by its Order dated June 6, 2014. Pursuant to that same Order and section 2.A(ii) of this Court's Individual Practices, we request the assistance of the Court. After lengthy negotiations between the parties, the written settlement agreement concluding this litigation is complete except for final execution by the parties. Defendant's final revisions were submitted to plaintiffs' counsel on June 12. However, plaintiff's counsel has not responded to our repeated requests for an update since then.

In the June 6 Order, this Court directed that (a) this action would be "subject to reopening should the settlement not be consummated within thirty (30) days of the date hereof [June 6]," and (b) "if [the parties] wish the Court to retain jurisdiction in this matter for purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court within the next 30 days with a request that the agreement be 'so ordered' by the Court." Insofar as both deadlines fall on this coming Sunday, July 6, defendant respectfully requests the following relief:

- That this Court temporarily reopen the above-referenced litigation and order a conference with the parties with respect to a prospective motion by Defendant to compel the settlement as reached by the parties and memorialized in the written settlement agreement, and

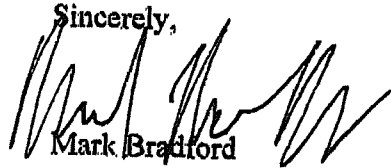
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- To that end, that defendant be permitted to submit the final version of the settlement agreement to the Court for *in camera* review.

Please contact me if the Court requires additional materials at any time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Bradford', written over the printed name.

Mark Bradford

cc: All Counsel
(by email)